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REMARKS

Claims 1, 7, 13, 14, 17, 19-21, 24 and 26-29 remain in this application.

Claims 1, 7, 13, 17, 21, 24 and 26-28 have been amended to define still more clearly what Applicant regards as his invention, in terms which distinguish over the art of record.

Claims 1 and 7 are independent.

Claims 17, 19, 24 and 26 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite.

The claims have been carefully reviewed and amended as deemed necessary to ensure that they conform fully to the requirements of Section 112, second paragraph, with special attention to the points raised in paragraph 1 of the Office Action. It is believed that the rejection under Section 112, second paragraph, has been obviated, and its withdrawal is therefore respectfully requested.

Claims 1, 7, 13, 17, 19, 20, 24, 26 and 27 were rejected under 35 U.S.C. § 103(a) as being obvious from Applicant's admitted prior art in view of U.S. Patent 5,786,589 (Segawa), and Claims 14, 21, 28 and 29, as being obvious from that art, further in view of U.S. Patent 5,138,145 (Nakamura et al.).

From a careful study of the Office Action and the prior art, Applicant believes that the Examiner may be misunderstanding *Segawa '589*, as follows.

The Examiner asserts that member 101 in Fig. 7 of *Segawa '589* is a glass substrate, that member 3 of the Applicant's admitted prior art is a protection cap of glass, and that these members 101 and 3 can readily be combined to produce the structures recited respectively in Claims 1 and 7. Applicant strongly asserts that the Examiner's understanding of member 101 in *Segawa '589* as being a substrate, is erroneous. Member

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101 is in fact one formed on the light-incident side of the CCD, and thus should be understood as corresponding to (if anything) the recited protection cap of Claims 1 and 7. Applicant respectfully points out that the drawings of *Segawa '589* show the *Segawa '589* structure in an orientation that is the reverse, top to bottom, relative to the drawings of the present application showing the admitted prior art.

Applicant points out that the upper substrate 111, disposed in opposition to member 101 in Fig. 7, is a CCD sensor substrate. The same is denoted by 112 in Fig. 1 of *Segawa '589*. This sensor substrate corresponds to the solid state image pick-up chip recited in Claims 1 and 7 (if to anything in the claims). Accordingly, member 101, which forms a hollow space between itself and the CCD sensor substrate, plainly corresponds to the recited protection cap of Claims 1 and 7. Properly understood, it is plain that, contrary to the Examiner's comment, *Segawa '589* discloses neither the feature of Claims 1 and 7 of a substrate provided with no wiring, disposed in opposition to a light-incident side of a solid state image pick-up element chip, nor for that matter the feature that the substrate is provided with no wiring.

Similarly, with respect to *Nakamura*, Fig. 4 (for example) is reversed in upper to lower direction relative to the drawings of the present application. The Office Action asserts that member 48 corresponds to the recited substrate with no wiring. As is apparent from col. 4, line 55, *et seq.*, however, member 48 is a transparent substrate, and member 40 is of a transparent resin.

In addition, referring to col. 5, lines 19-23, light information is described as being inputted from a side of the transparent substrate 48 and the transparent resin 40.

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Accordingly, the transparent substrate 48 corresponds to the recited protection cap (if to anything).

Moreover, member 41 is an image sensor chip on which an image sensor 42 is formed. The *Nakamura* structure in fact does not teach or suggest the recited substrate provided with no wiring at a side of an image sensor chip opposite to the light-incident side. *Segawa* '589 also is lacking this structure, which is recited in both Claims 1 and 7.

It is concluded that none of the cited references, nor all taken together in combination (assuming for argument's sake that such combination is permissible), teach or suggest the structures respectively recited in Claims 1 and 7, and that those claims, therefore, are in condition for allowance.


A review of the other art of record has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or the other of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

  
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